

United States District Court

SOUTHERN DISTRICT OF MISSISSIPPI

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January 19, 2007

The Honorable Tom S. Lee
Senior United States District Judge
245 East Capitol Street, Suite 220
Jackson, Mississippi 39201

RECEIVED
JAN 19 2007
TOM S. LEE
U.S. DISTRICT JUDGE

RE: KENDRICK, Ervin Lenard
Docket No. 3:03cr149LSu-001
TOLLING OF SUPERVISED RELEASE

Dear Judge Lee:

Ervin Lenard Kendrick was sentenced by the Court May 20, 2005, to six (6) months imprisonment with three (3) years supervised release to follow after he pled guilty to Credit Card Fraud. Special conditions to this sentence were: financial disclosure, no new credit, random urine screens, and substance abuse treatment if deemed necessary. The Court also ordered Kendrick pay a \$100 special assessment and restitution in the amount of \$3,867.84.

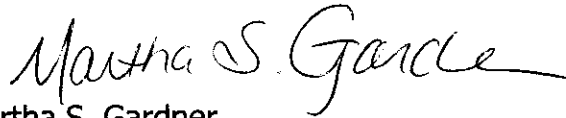
The offender was released from Madison County Jail to begin supervision on July 15, 2005. On September 5, 2005, Kendrick was arrested by the Jackson Police Department on an old warrant for unpaid fines and was incarcerated at the Hinds County Penal Farm, in Raymond, Mississippi where he remained to "work the fines off." Kendrick was released from custody on November 1, 2005. On December 19, 2005, he pled guilty to an old False Pretense/Forgery charge in Madison County and was sentenced in Circuit Court to five (5) years custody, four (4) years suspended, and one (1) year house arrest with four (4) years probation. The MDOC House Arrest status and Kendrick's federal term of supervised release ran concurrently (because he was not imprisoned) until February 6, 2006. On February 6, 2006, the MDOC probation and House Arrest term were revoked for a positive urine screen test given by MDOC. The offender was incarcerated from February 6, 2006 until October 17, 2006 when he was released back on MDOC probation. He was incarcerated an additional 254 days on this state matter; therefore, this 254 days should be tolled.

Re: KENDRICK, Ervin Lenard
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Pursuant to 18 U.S.C. § 3624(e), a term of supervision does not run while the offender is imprisoned in connection with another Federal, State, or Local crime, unless the imprisonment is for a period less than thirty (30) consecutive days. Due to the two old convictions and resulting incarcerations, Kendrick's original expiration should be extended from September 9, 2008 until May 20, 2009.

Please indicate the Court's concurrence with the tolling of the term of supervised release by a signature below and the filing of this document with the Clerk of Court. If Your Honor has any questions or additional information is needed, please contact me at your convenience.


Respectfully submitted,



Martha S. Gardner
Supervising U.S. Probation Officer

MSG:ss

- ☒ I agree with the decision to change Ervin Lenard Kendrick's expiration date to May 20, 2009.
- ☐ Recommendation: _____


Tom S. Lee
Senior United States District Judge